

UNITED STATES DISTRICT COURT  
JUDGE JEREMY FOGEL, PRESIDING  
COURTROOM NO. 3 - 5<sup>TH</sup> FLOOR

CIVIL MINUTES

**Court Proceedings:** Law and Motion Hearing, December 10, 2008

Time (mins): 42

**Case Number:** CV-08-4052-JF/PVT

**Courtroom Deputy Clerk:** Diana Munz

**Court Reporter:** Summer Clanton

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**TITLE:** EBAY V. DIGITAL POINT SOLUTIONS, ET AL

PLAINTIFF

DEFENDANT

**Attorneys Present:** David Eberhart,  
Sharon Bunzel, Adam Sand

**Attorneys Present:** Ross Campbell for Digital and Hogan,  
Stewart Foreman for T. Dunning, Leo Presiado for Thunderwood  
and B. Dunning, Patrick McClellan for Kessler's

**PROCEEDINGS:**

Hearing on Motions to Dismiss held. Parties are present. The motions are taken under submission.